

VZCZCXRO3865

PP RUEHAO RUEHCD RUEHGA RUEHGD RUEHGR RUEHHA RUEHHO RUEHMC RUEHMT
RUEHNG RUEHNL RUEHQU RUEHRD RUEHRG RUEHRS RUEHTM RUEHVC
DE RUEHDG #1959/02 3581757
ZNR UUUUU ZZH
P 231757Z DEC 08
FM AMEMBASSY SANTO DOMINGO
TO RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS PRIORITY
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY 2012
INFO RHEHNC/NSC WASHDC

UNCLAS SECTION 02 OF 03 SANTO OMINGO 001959

SENSITIVE
SIPDIS

STATE DEPARTMENT FOR INL FPALMIERI, RLEVENTHAL, KBROWN,
WHA/AR VDEPIRRO, BPREMONT

E.O. 12958: N/A

TAGS: [PGV](#) [KCOR](#) [KCRM](#) [SNAR](#) [PREL](#) [DR](#)

SUBJECT: RULE OF LW ROUND-UP - DEC 2008

* Missing Section 001 *

SANTODOMIN 12231959 002 OF 003

inter-agency efforts to "radicate all illegal travel by air
and sea".

- Court of Accounts (Camara de Cuentas):

17. (SB) Newspapers indicate that the nine new members of the Chamber of Accounts - the body charged with overseeing the use of public finances - had awarded themselves substantial Christmas bonuses, in violation of the Chamber's own rules. The rules say that members, or "judges" must serve at least three months before being eligible to receive an end-of-year (the "13 th month salary") bonus. However, the nine members were installed on October 9, 2008, and received holiday and "incentive" bonuses between December 8 and 9. The previous Camera de Cuenta members had to resign en masse in the summer of 2008 because of a series of accusations from within the institution itself of corruption by various members. In addition, this previous Court of Accounts was rocked by scandal at the beginning of its term in January 2007 when members awarded themselves huge raises just after Congress passed an austerity law. (They subsequently reduced their pay in March 2007, but it is unclear if they ever returned the extra money they may have received between January and March.) No one from the previous membership has been prosecuted, nor is there any indication the new set of judges will be, although they may have to disgorge their bonuses.

-- Bani (Paya) Massacre (ref A):

18. (SBU) In late November, the Supreme Court (SCJ) rejected a lawsuit by former Bani police Chief Hilario Gonzalez against Senator Wilton Guerrero because the Senator had denounced the police chief as having worked with narco-traffickers. Gonzalez was removed from his post after Guerrero's public comments that various officials were facilitating the illegal drug trade in the Paya area of Bani. While the exact role, if any, of Gonzalez is unclear, at least a dozen Navy officers have been detained in connection with the case, suggesting that Guerrero's accusations of official complicity are not without foundation. Oddly, however, it was reported on 12/22 that the sole survivor of the Bani (or Paya) massacre will be charged with human trafficking, not narco-trafficking. Post is verifying this report.

-- Quirino (Asset Forfeiture) case:

¶9. (SBU) Word leaked on 12/22 that a deal may be in the works whereby the family of alleged narcotics trafficker Ernesto Quirino Paulino Castillo would be protected in return for Quirino's cooperation. Also made public was the U.S. decision to renounce claims on any of the USD 14.5 million in assets seized in connection with the case. This means that the forfeited assets will be distributed according to Dominican law - with some 50 percent going to the DNCD (National Drug Control Directorate) and at least 25 percent going to non-governmental organizations involved in drug prevention activities.

-- Baninter & Renove cases (Christmas pardons):

¶10. (SBU) On 12/22 President Fernandez issued pardons to a number of persons convicted of involvement in the Baninter financial fraud case (ref B) and the Renove corruption case. One person pardoned is ex-Baninter Vice President Vivian Librano de Castillo, who had been sentenced to five years in prison and a 1.5 million DR peso fine but, for alleged health reasons, was never put in jail. Four persons connected with the Renove case - whose convictions were upheld by the Supreme Court in March - were also pardoned. It is noteworthy that the President took this action at Christmas-time, not only because it is supposed to be a season of goodwill, but also because key civil society watchdogs - such as FINJUS and Participacion Ciudadana - are on vacation. It remains to be seen what the official reactions of those organizations will be, but two prominent journalists who were serving on a Pardons Commission immediately resigned. One, Huchi Lora, claimed that those pardoned had not appeared on a list of names that they reviewed, with the Prosecutor General, just last week.

-- Public Defenders:

¶11. (U) On a good note: The newspaper Hoy reported on 12/22 that since the public defender's office was formed five years ago, it has assisted more than 76,000 indigent persons.

* Missing Section 003 *
